



BOBBY JINDAL, Governor

Office of Juvenile Justice

MARY L. LIVERS, Ph.D., MSW, Deputy Secretary

May 10, 2010

Dear OJJ Staff:

As most of you are aware by now, the United States Department of Justice, Bureau of Justice Statistics released a report in January on sexual victimization in juvenile facilities, as required by the federal Prison Rape Elimination Act of 2003 (PREA). The BJS report entitled **Sexual Victimization in Juvenile Facilities Reported by Youth 2008 - 2009**, states that nationally, an estimated 12 percent of all incarcerated youth report allegations of sexual victimization. The federal study was conducted between June 2008 and April 2009 using anonymous computerized questionnaires, and some youth were interviewed.

Two of our three facilities were included in the study; the third (Bridge City Center for Youth) had a population too small at the time of the study to be included. Louisiana falls into the middle range of the study. Not all youth in a facility were surveyed. The report states that 8 percent of respondents (2) at Jetson Center for Youth and 16.6 percent of respondents (17) at Swanson Center for Youth, alleged that they had been sexually victimized.

I want to reaffirm our position that demonstrates our strong commitment to keeping our youth safe and to providing a safe environment for all youth in our care. We are not going to take issue with the numbers and the findings in the report. We are charged with the care of the youth and we take every allegation of sexual impropriety seriously. There is no such thing as consensual sex in our facilities. Our standard is zero tolerance for sexual actions, with or without threats of violence. All of us are responsible to ensure there is a safe and healthy culture, which means a non-sexualized work environment.

Staff is expected to be aware of professional boundaries and is also expected to refrain from inappropriate behavior.

Do not:

- engage in conversation regarding sexual content;
- use inappropriate language, gestures or body language;
- engage in abusive behavior;
- use threatening or foul language;
- engage in horseplay or other inappropriate activities; or
- make suggestive or sexual remarks or jokes.

Do:

- dress modestly;
- avoid talking about sex or sexual relationships;
- seek safe and positive solutions to conflict;
- constructively address inappropriate sexual remarks or behavior.

OJJ has had one validated case of staff sexual assault on youth in the past two years. In 2008, there were 4 allegations of staff sexual abuse on youth at OJJ facilities. None of the allegations were validated through the Investigative Service unit. In 2009, there were 15 such allegations; one was validated and the staff person involved was immediately terminated and reported to local law enforcement.

OJJ implemented a comprehensive and aggressive program aimed at eliminating sexual assaults in its juvenile facilities beginning in June 2008 to ensure that youth in OJJ facilities live in a safe environment and are free from fear of sexual assault.

OJJ actions included:

- In June 2008, OJJ created the Prison Rape Elimination Act (PREA) Steering Committee, comprising members from all disciplines within the agency, to evaluate all allegations of sexual abuse, create a program and implement strategies to prevent sexual activity;
- A policy on sexual victimization was adopted in June 2009;
- Posters in the secure care facilities and non-secure residential group homes provide information about what youth can do if they are sexually abused and how to report the abuse;
- All youth entering a secure care facility view a DVD and receive a pamphlet regarding the prevention and reporting of sexual abuse;
- Staff who work in the secure care facilities receive intensive training on zero tolerance policies and the identification and prevention of sexual abuse; and
- The Investigative Services unit follows up on all allegations of sexual abuse and if the allegations are found to be valid, the employee is immediately terminated and reported to local law enforcement.

We absolutely will not tolerate staff victimizing our youth. We deal with such illegal and immoral activities swiftly and decisively.

Current initiatives:

- The PREA Steering Committee visited Swanson to perform an audit, speak with staff, interview youth and identify strategies that are working well, as well as deficiencies.
- We have received a grant for technical assistance from the National Institute of Corrections (NIC), and we are bringing in national experts to train our Investigative Services staff on PREA investigations. The experts will also review our policies and procedures, and identify areas needing improvement.

- Executive Staff, Facility Leadership and Regional Managers have been directed to complete NIC PREA Training as a part of their leadership training requirements.

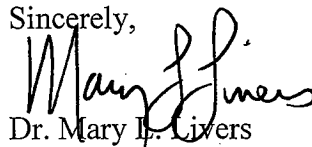
Best practices show that the best way to manage our delinquent youth is in small, therapeutic settings. The populations of the three facilities have shifted since the study was conducted, with Jetson, transformed into a small, regional therapeutic facility, now being the smallest; Swanson the largest and Bridge City, which was too small to be included in the study, now having a larger population. Current populations of our secure care facilities are: Bridge City - 128; Jetson - 80; and Swanson - 204.

While we have implemented a number of strategies that combat sexual victimization, this is a continuous process. We take very seriously our responsibility for the care and safety of the youth in our custody. As we move through the reform process, we will continue to improve as we review and refine policies and procedures that address very serious issues. I must reiterate, OJJ's position is **there is no such thing as consensual sex in any instance, in our facilities.**

It is the responsibility of every member of our staff, no matter where stationed, to maintain professional boundaries with the youth in our care, and to report sexual misconduct if they become aware of such activity. If you are interested in additional PREA training, please contact your supervisor. Let's keep our focus on the treatment model and the fact that safety is our first priority.

The BJS report and OJJ's PREA resources may be found on the OJJ website at <http://www.ojj.la.gov/index.php?page=sub&id=259>

Sincerely,

A handwritten signature in black ink, appearing to read "Mary L. Livers", written over the printed name.

Dr. Mary L. Livers

MLL:JMG